IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:19 CV 35

JAMES W. SNEED,)	
Plaintiff,)))	ORDER
v.))	<u> </u>
UNITED STATES OF AMERICA,)	
Defendant.)))	

This matter is before the Court upon the parties' Joint Motion to Stay Initial Attorneys Conference (Doc. 9) in light of the death of Plaintiff, as referenced in that Suggestion of Death Upon the Record (Doc. 8) and subsequent Notice (Doc. 10).

Pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure, upon the death of a party, a motion for substitution of the proper party may be made by any party or by the decedent's successor or representative. If such a motion is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed.

Accordingly, the parties' Joint Motion to Stay Initial Attorneys Conference (Doc. 9) is **GRANTED**, and the deadline for the parties to conduct an Initial Attorneys

Conference is **EXTENDED** to and including August 8, 2019. A certificate of said conference shall be filed thereafter according to the Local Rules.

Signed: May 10, 2019

W. Carleton Metcalf

United States Magistrate Judge